



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

PROFESSIONAL FIREFIGHTERS OF	:	
SALEM, LOCAL 2892, I.A.F.F.	:	
	:	CASE NO. F-0116:23
Complainant	:	
	:	DECISION NO. 97-063
v.	:	
	:	
TOWN OF SALEM	:	
	:	
Respondent	:	

MOTION TO DISMISS

and

ORDER TO ARBITRATE

The Board, meeting at its offices in Concord, New Hampshire, on June 17, 1997, took the following actions:

1. It reviewed the Union's unfair labor practice (ULP) complaint filed March 3, 1997 and the Town's answer filed March 18, 1997.
2. It convened a hearing to take evidence and hear testimony relating to the pending ULP complaint.
3. It heard opening arguments from counsel for each party, inclusive of a motion to dismiss submitted by the Town based on the premise that the Union had yet to complete the three-step binding arbitration procedure negotiated by the parties and contained in their collective bargaining agreement (CBA).

4. It directed that the parties complete the grievance arbitration procedure contained in the CBA, through and including binding arbitration, for the grievance already filed and pending involving Lieutenant Themea and Firefighter Williams and that the Town's Motion to Dismiss be held in abeyance. If neither party moves to reopen this matter before the PELRB within sixty (60) days of the date of the arbitration award rendered with respect to grievants Themea and Williams, this matter shall be automatically dismissed from the Board's docket of cases. A copy of the arbitration award shall be provided to the PELRB simultaneously with its being provided to the parties.

So ordered.

Signed this 24th day of June, 1997.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding.
Members Seymour Osman and E. Vincent Hall present and voting.